

EXHIBIT 8

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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CHASOM BROWN; MARIA NGUYEN;
WILLIAM BYATT; JEREMY DAVIS;
and CHRISTOPHER CASTILLO,
individually and on behalf
of all other similarly
situated,

Plaintiffs,

vs.

No. 5:20-cv-03664-LHK

GOOGLE LLC,

Defendant.

_____/

CONFIDENTIAL

REMOTE VIDEOTAPED DEPOSITION OF CHRISTOPHER R. PALMER
WITNESS LOCATION: SAN FRANCISCO, CALIFORNIA
WEDNESDAY, JANUARY 5, 2022

Stenographically Reported by:
ANDREA M. IGNACIO, CSR, RPR, CRR, CCRR, CLR
California CSR No. 9830
Job No. 773740

MAGNA LEGAL SERVICES
866-624-6221

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REMOTE VIDEOTAPED DEPOSITION OF

CHRISTOPHER R. PALMER, taken on behalf of the
Plaintiffs, on Wednesday, January 5, 2022,
beginning at 10:06 a.m., and ending at 5:43 p.m.,
Pursuant to Notice, and remotely before me,
ANDREA M. IGNACIO, CSR, RPR, CRR, CLR ~ License
No. 9830.

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2

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11

12 ALSO PRESENT: Torryn Taylor, Google

13 Bill Shover, Videographer

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1 Q Do you agree that Google should not deceive 10:50

2 users regarding the functionality of Chrome Incognito 10:50

3 Mode? 10:51

4 A Well, I'm not speaking for Google here, but I 10:51

5 would like to, you know, be as clear as I can in my 10:51

6 communication. 10:51

7 Q Right. 10:51

8 But it's your opinion as a Google employee 10:51

9 that Google should not deceive users regarding the 10:51

10 functionality of Chrome Incognito Mode; correct? 10:51

11 A Well, I think that the documentation, as I 10:51

12 say, is clear and accurate. And so if -- and by 10:51

13 "documentation," I mean what you get on the New Tab 10:51

14 Page of Incognito. I think that's clear and accurate 10:51

15 and concise. And if you click the "Learn More" link, 10:51

16 you get a Help Center article, which I think is also 10:51

17 accurate. 10:51

18 And so I'm only concerned about the fuzziness 10:51

19 of the name and the potential for people to imagine 10:51

20 properties that don't exist in the software. 10:52

21 Q Right. 10:52

22 And you were also concerned about the 10:52

23 possibility of deceiving users; correct? 10:52

24 A More that people would self-deceive or 10:52

25 over-imagine due to the fuzziness. 10:52

1 Q But Mr. Palmer, that's not what you wrote; 10:52

2 correct? 10:52

3 A I see what I wrote. I have a style that's 10:52

4 sort of spicy, you might say. 10:52

5 Q And what do you mean by that, "spicy"? 10:52

6 A Provocative, perhaps. 10:52

7 Q And so looking back on what you wrote in 10:52

8 September of 2014, is it your testimony now that it is 10:52

9 okay for Google to deceive users? 10:52

10 A No. 10:52

11 Q Okay. And so when you wrote "we should 10:52

12 harmonize the name + icon "down". So that we don't 10:52

13 deceive users," the "we" in that -- in what you wrote, 10:53

14 that's a reference to Google; right? 10:53

15 MS. CRAWFORD: Objection; asked and answered. 10:53

16 THE WITNESS: Again, it's -- it could -- it's 10:53

17 not precise who I meant there, and I don't remember 10:53

18 exactly. It could be, you know, like, not necessarily 10:53

19 on behalf of the company or as a company, but, like, 10:53

20 Hey, we should -- we should try something else, you 10:53

21 guys. 10:53

22 You know, it's kind of vague. I don't 10:53

23 remember precisely who I meant by "we." 10:53

24 But in any case, I can't and have never been 10:53

25 able to speak for the whole company. 10:53

1 CERTIFICATE OF STENOGRAPHER

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3 I, ANDREA M. IGNACIO, hereby certify that the
4 witness in the foregoing remote deposition was by me
5 remotely sworn to tell the truth, the whole truth, and
6 nothing but the truth in the within-entitled cause;

7 That said deposition was taken in shorthand
8 by me, a disinterested person, remotely at the time
9 stated, and that the testimony of the said witness was
10 thereafter reduced to typewriting, by computer, under
11 my direction and supervision;

12 That before completion of the deposition,
13 review of the transcript [x] was [] was not
14 requested. If requested, any changes made by the
15 deponent (and provided to the reporter) during the
16 period allowed are appended hereto.

17 I further certify that I am not of counsel or
18 attorney for either or any of the parties to the said
19 deposition, nor in any way interested in the event of
20 this cause, and that I am not related to any of the
21 parties thereto.

22 Dated:

23 Andrea M. Ignacio

24 ANDREA M. IGNACIO, RPR, CRR, CCRR, CLR, CSR No. 9830

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